IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

CIVIL WRIT PETITION NO. 12886 OF 2006

DATE OF DECISION: OCTOBER 12, 2006

Parties Name

Smt. Sona Devi

..PETITIONERS

VERSUS

The State of Haryana and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASBIR SINGH
HON'BLE MR. JUSTICE PRITAM PAL

PRESENT: Mr. Vikram Singh,
Advocate, for the petitioners.

Mr. S.S.Patter, D.A.G., Haryana;

JASBIR SINGH, J. (oral)

Order.

This writ petition has been filed with a prayer that the order Annexure P-3 dated April 21, 2006, and two orders dated May 17, 2006, (Annexures P-5 and P-6) be quashed.

It is apparent from the record that vide letter Annexure P-3, the Block Development and Panchayat Officer sought permission, from the Deputy Commissioner, to get a criminal case registered against the petitioner on account of embezzlement made by her. The said letter was replied vide Annexure P-4. Permission was granted to the Block Development and Panchayat Officer , Shahbad, to get the criminal case registered subject to the condition that if a notice had already been given and the Ex-Sarpanch had not filed the reply to the notice or the reply was not found satisfactory. That letter (Annexure P-4) has not been challenged

by the petitioner. Vide order (Annexure P-5), the Block Development and Panchayat Officer, Shahbad Markanda, has written to the S.H.O. concerned to register a criminal case against the petitioner. Annexure P-6 is the FIR. It is apparent from the records that before getting the case registered, a notice asking the petitioner to deposit the amount was issued on September 7, 2005. It is contention of counsel for the petitioner that no such notice was issued by the Department to her. On perusal of record, argument raised was found to be incorrect, furthermore notice Annexure P-4 has become final as the same was not challenged. No interference can be made in order Annexure P-5 and FIR Annexure P-6. Dismissed.

(Jasbir Singh)
Judge

(Pritam Pal)
Judge

October 12, 2006.
DKC